PTO/SB/66 (03-09) Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT	OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))	

Docket Number (Optional)

Mail to: Mail Stop Petition is

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Fax: (571) 273-8300

01/18/2012 DALLEN

original issue date

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No.

Issue Date

Application Number 08939927

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the

correct patent. 37 CFR 1.366(c) and (d).

Also complete the	following information,	if applicable

The above - identified patent

Is a reissue of original Patent No.

original application number

original filing date

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application

filed on

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

1. SMALL ENTITY								
Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.								
2. LOSS OF E	2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS							
Paten	Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)							
3. MAINTENA	NCE FEE (37 CFR 1.20(e)-(g))						
The appropriate	e maintenance fee must t	e submitted with t	this petition, unless it	t was paid earlier.				
	NOT Small Entity		1	Small Entity				
Amount	Fee	(Code)	Amount	Fee	(Code)			
\$	3 ½ yr fee	(1551)	\$	3 ½ yr fee	(2551)			
\$	7 ½ yr fee	(1552)	\$	7 ½ yr fee	(2552)			
\$	11 ½ yr fee	(1553)	X \$ 23/25	11 ½ yr fee	(2553)			
			MAINTENANCE	FEE BEING SUBMITTED	\$			
4. SURCHARO			_					
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5. MANNER O			_					
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Please	Please charge Deposit Account No. the sum of \$							
Paym	Payment by credit card. Form PTO-2038 is attached.							
6. AUTHORIZ	6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY							
The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. please coll 603-619-9123 bashong								

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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7. O	7. OVERPAYMENT					
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OR	Credit to Deposit Account No.					
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	WARNING:					
to identity theicheck or credipetition or an a should consided that the constant of the consta	licant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute it. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a stream to card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants er redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is the record of a patent application is available to the public after publication of the application (unless a non-publication application may also be available to the public if the application is referenced in a published application or an issued patent in 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the and therefore are not publicly available.					
8. S	TATEMENT					
	The delay in payment of the maintenance fee to this patent was unintentional.					
	ETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE ATENT REINSTATED					
	Signature(s) of Petitioner(s) Julia Addless Date 12/3/// Typed or printed name(s) L/LDA T AWDERSW Registration Number, if applicable					
	Typed or printed name(s) LINDA THUDE Registration Number, if applicable					
	Telephone Number 602-679-9123					
	Address 3311 E OREGONÁVENUE PHOENIX, A 2 950/8 Address					
	37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."					
EN	CLOSURES					
	Maintenance Fee Payment					
	Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)					
	The of England					
	Lency Explanarion					

[Page 3 of 3]

Linda J. Anderson 3311 E. Oregon Avenue Phoenix, AZ 85018 December 27, 2011

TO:

Director of US Patent and Trademark Office P O Box 979070 St Louis, MO 63197-9000

AND TO:
Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA
22313-1450

RE: Patent #5,971,242

To Whom it May Concern:

I am submitting this petition to reinstate my patent.

Attached please find:

- 1) A letter of explanation of the unavoidable circumstances leading to the non-acceptance of patent maintenance fee
- 2) Letter from bank manager explaining the circumstances
- 3) Screen shot of my attempts to pay on-line in a timely manner showing "server error"
- 4) Copies of proof funds were available
- 5) Printouts from bank of attempts to make a Debit card charge.
- 6) Copy of the Maintenance Fee Transmittal Form, Fax cover letter, Privacy Statement, and Notice of Non-Acceptance of Patent Maintenance Fee

Línda J. Anderson, Patentee



Letter of Explanation

RE: Patent #5,971,242

I attempted several times to use my credit card to pay my patent maintenance fees on 10/25/2011. I received the same message numerous times stating that there was a "Server Error" and that I should verify my card information. (see exhibit)

After receiving the "Server Error" message many times, I called the USPTO to find out what the issue was. I told them I needed to pay my maintenance fees and that I kept getting the same message. They told me there must be a problem with the system and that I could keep trying the same thing. They told me that if it still did not work that I should fax my credit card information using the Maintenance Fee Transmittal Form and the Credit Card Payment Form.

After trying the system over and over again, I faxed the Maintenance Fee Transmittal Form and the Credit Card Payment Form. I checked my account balance each day to see if the amount had been withdrawn. Because the funds had not been withdrawn, on 10/28 I called again to make sure that my fax had been received. I was told by Anisha that it takes 3-5 days to process and she told me that they had received my forms.

You can imagine my distress when I received Notice of Non-Acceptance of Patent Maintenance Fee dated 10/27 and postmarked 10/28. I called the USPTO at the number on the notice and I believe I spoke with Michael Bangura. He told me I could petition to reinstate.

It took me several trips to my bank to find out what happened. After much investigation at and by my bank and a change of bank managers—the new VP/client services manager explained to me that their system had denied the charge for \$2,440 even though I had more than sufficient funds to cover that amount. Their explanation was that they have a daily limit for a maximum credit card charge as a protection against fraud. I have attached a letter of explanation from the new bank manager dated 12/22.

This had never been explained to me at any time. I have made credit card charges in excess of this amount in the past and have never had this experience before.

I took more than reasonable care to ensure that the fee would be paid timely and am filing this petition promptly after I was able to determine what had happened at my bank.

- 1) The USPTO system gave me a Server Error message and to verify my card information-- it didn't tell me that my bank had denied the charge in error.
- 2) When I called the USPTO for help, the representative did not tell me that my bank had denied the charge, they said they was a system problem and they told me to fax in the credit card information.
- 3) The USPTO did not inform me there was a problem with my credit card. My phone number and fax number are on the credit card form.



RE: Patent #5,971,242

- 4) My bank did not inform me that my charges were limited by an amount other than the funds I have available.
- 5) My bank did not let me know that a credit card charge was being denied. They did not contact me to get my approval. They only found the facts after quite a bit of searching at my request.

I believe that I made more than reasonable efforts to ensure timely payment of the patent maintenance fee. If I had been informed at any of my attempts that the bank had declined the charge, I would and could have called my banker to have the bank make the necessary arrangements to approve the charge.

I respectfully request that my patent be reinstated. I have included a check for \$2,440 and a separate check for \$700 fee for reinstatement. I also request that I not be charged the additional \$700 fee because of the extenuating circumstances.

Please contact me by email or phone if you need further information.

Respectfully submitted,

Linda J. Andérson, Patentee

linda@kangaring.com

602-679-9123





Camelback Office 2777 E Camelback Rd Suite 100 Phoenix, AZ 85016 Tel. 602.224.5800

December 22, 2011

Linda Anderson 3311 E Oregon Ave Phoenix, AZ 85018

Re: Debit card 000001658

Dear Ms. Anderson,

I am responding to your inquity regarding a debit card transaction that was declined on 10/25/2011 and 10/27/2011 in the amount of \$2440.00. According to our records the transaction was declined as a result of exceeding an internal fraud detection limit. This is called our CNP limit or card not present limit. This is set at a lower amount than your standard debit/POS transaction limit in order to deter fraud from occurring when a transaction is attempted without actually swiping the card.

The only way you would have known that the transaction was denied was from the merchant as it did not hit an overdraft report on the Bank end. We have access to denial reports but only monitor them when an issue arises as a result of a declined transaction or possible fraud transaction. It is used mostly as a research tool in the event of such an occurrence.

If you need any additional information or have further questions please contact me at (602) 224-5800.

Regards,

Tricia Blaylock VP/Client Services Manager Sunrise Bank of Arizona

2777 E Camelback Rd Ste 100 Phoenix, AZ 85016

Lina Blaylock

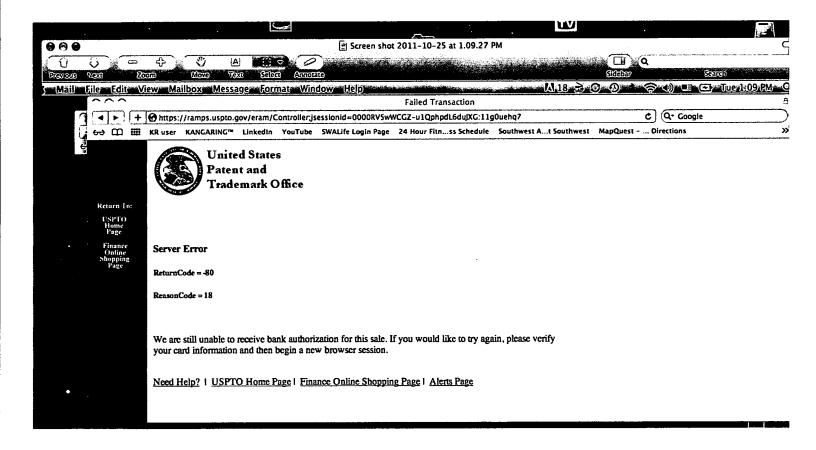
(602) 224-5800

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Screen Shot of "Server Error"

RE: Patent #5,971,242







CMA Applications

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CMA Applications

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/ Sunday, November 13 2011 Statement cycle 19

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/ Sunday, November 13 2011 Statement cycle 10

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Alexandria, VA 22313-1450
www.uspto.gov

LINDA J. ANDERSON 3311 E. OREGON AVENUE PHOENIX, AZ 85018

October 27, 2011

NOTICE OF NON-ACCEPTANCE OF PATENT MAINTENANCE FEE

NOTICE OF THE PARTY	
REGARDING PATENT NUMBER: 5971242 Payment Amount Received: \$ 2,440.00 Payment Year 11.5 (e.g., 3.5, 7.5, 11.5) PAYMENT RECEIPT DATE 10/26/2011 (Mailroom Date Stamp)	PAYMENT STATUS: No charge was applied to your credit card account.
Your payment was not accepted for the following reason	
Information regarding the previous payment is stated in them	• • • • • • • • • • • • • • • • • • • •
 	10 37 CFR 1.302(d), the payment white
4. Your payment was not sufficient to cover the maintenance te	d.
5. The above-identified patent was reissued. In accordance with	n 37 CFR 1.300(d); tile 10/3340 parent alland
 6. The payment did not include corresponding patent and applie 7. The above-identified patent is not subject to maintenance fee before 12/11/80. No maintenance fees are due on design pa (The "Resubmitting Maintenance Fee Payment" and "Patent") 	tents or on plant patents. See 37 CFR 1.362(a) and (b). Expiration" sections below do not apply.)
8. Other: Your credit card company declined charges on your	credit card .
Resubmitting Maintenance Fee Payment The six (6) month "grace period" for paying the maintenance fee frends on In addition to the maintenance fee of \$ the 6 month "grace period" is required to include a surcharge of \$ To avoid patent expiration, the maintenance fee plus any required all of the indicated reason(s) for payment non-acceptance and must period" ends. Send by facsimile to the Office of Finance, Maintenfollowing address: Mail Stop M Correspondence, Director of the to the attention of the individual who has signed below.	(See "Note" at the bottom of this Notice.) surcharge must be resubmitted in a manner that rectifies to be filed on or before the date the 6 month "grace" The Bronch of (571) 273-6500, or by mail to the
Patent Expiration The date the six (6) month "grace period" ends becomes the expiramount for paying the maintenance fee is not filed in the USPTO be reinstated if a petition as set forth in 37 CFR 1.378 is granted. number 5 or 6 above is the only reason indicated for payment non accepted if resubmitted with a petition as set forth in 37 CFR 1.37	If the above-identified patent has expired and reason -acceptance, it is possible that the payment may be 17, rather than 37 CFR 1.378.
If you have any questions regarding this Notice, contact the Office of Fir Please ask for the individual who has signed below.	nance, Maintenance Fee Branch at (37) 222-6300.
Michael Bangura (571) 272-6365 Printed Name of USPTO Representative	Signature of USPTO Representative
	a payment, visit the www.uspto.gov

NOTE: All USPTO fees (including patent maintenance fees) are subject to change. If you are making a payment, visit the www.uspto.gov website or contact the Office of Finance to verify the amount due on the date payment is to be made. A maintenance fee payment can be timely made using the certificate of mailing or transmission procedure set forth in 37 CFR 1.8.

PTO/SB/45 (03-09)

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Patent Attn: Ma 2051 Jar Alexand - OR	of the United State and Trademark (Intenance Feenleson Avenue, Sria, VA 22314	es Office uite 300	I hereby certify that of States Postal Service addressed to "Director Maintenance Fee, 20 on	this corresponder with sufficient por of the United States of Jamieson Ave.	estage as first tates Patent a enue, Suite 3	nd Trademark 00, Alexandria	Office, Attn: , VA 22314"
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5	Subtotals: Columns 3 & 4 2365.00 75.00 additional sheets attached for listing additional patents. Total Payment 2440.00 additional patents. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.						
Custo Custo Telep Note: Paym	See 37 CFR 1.363 nent of small entity is s from small to lar	tee is appropriate if sma rge entity, a written ass	MERSON THE "Fee Address" or to the sertion is required. See J. S.	Fax: 811 Correspondence of the same of th	.33(b). CHARGE A DE	- 6783 Fee Address" ha mail entity statu EPOSIT ACCOU	NT, BOTH THE

This collection of Information is required by 37 CFR 1.386. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the complete data application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitted case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will vary depending upon the individual case. Any comments on the USPTO. Time will var If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. VA 22314.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the
- A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the
- World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to
- the Atomic Energy Act (42 U.S.C. 218(c)).

 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an
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Fax

TO:

Date: 10/26/11

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From: Linda Anderson

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